

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EASTMAN KODAK COMPANY,)	Civil Action No. 1:12-CV-03109 (DLC)
Plaintiff,)	
v.)	
RICOH COMPANY, LTD.,)	
Defendant.)	

**DECLARATION OF GRAHAM PECHENIK IN SUPPORT OF RICOH
COMPANY, LTD.'S OPPOSITION TO EASTMAN KODAK COMPANY'S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

GRAHAM PECHENIK, under penalty of perjury, hereby declares as follows:

I am an attorney with the law firm Quinn Emanuel Urquhart & Sullivan, LLP, counsel for defendant Ricoh Company, Ltd. ("Ricoh") in the above captioned action, and am admitted to this Court *pro hac vice*.

I respectfully submit this declaration in support of Ricoh's Opposition to Kodak's Motion for Partial Summary Judgment. I am familiar with the facts stated herein.

1. Attached hereto as Exhibit 001 is a true and correct copy of a patent license agreement related to digital cameras dated May 1, 2002 between Eastman Kodak Company and Ricoh Company, Ltd., consisting of Bates-numbered pages KOD-RIC002812-827.

2. Attached hereto as Exhibit 002 is a true and correct copy of transcript excerpts from the Deposition of Edward André.

3. Attached hereto as Exhibit 003 is a true and correct copy of transcript excerpts from the Deposition of Pamela R. Crocker.

4. Attached hereto as Exhibit 004 is a true and correct copy of transcript excerpts from the Deposition of Noah Doolittle.

5. Attached hereto as Exhibit 005 is a true and correct copy of transcript excerpts and errata from the Deposition of Kazumichi Eguchi.

6. Attached hereto as Exhibit 006 is a true and correct copy of transcript excerpts from the Deposition of Herbert Erhardt.

7. Attached hereto as Exhibit 007 is a true and correct copy of transcript excerpts and errata from the Deposition of Shinobu Fujiki.

8. Attached hereto as Exhibit 008 is a true and correct copy of transcript excerpts and errata from the Deposition of Kiyoshi Kawano.

9. Attached hereto as Exhibit 009 is a true and correct copy of transcript excerpts and errata from the Deposition of Shunsuke Kishi.

10. Attached hereto as Exhibit 010 is a true and correct copy of transcript excerpts and errata from the Deposition of Toshiyuki Kitazawa.

11. Attached hereto as Exhibit 011 is a true and correct copy of transcript excerpts from the Deposition of Yusuke Kojima.

12. Attached hereto as Exhibit 012 is a true and correct copy of transcript excerpts from the Deposition of Chris McNiffe.

13. Attached hereto as Exhibit 013 is a true and correct copy of transcript excerpts and errata from the Deposition of Eisaku Nagaishi.

14. Attached hereto as Exhibit 014 is a true and correct copy of transcript excerpts from the Deposition of Michael Pagano.

15. Attached hereto as Exhibit 015 is a true and correct copy of transcript excerpts from the Deposition of Kenneth A. Parulski.

16. Attached hereto as Exhibit 016 is a true and correct copy of transcript excerpts from the Deposition of James M. Pohlman.

17. Attached hereto as Exhibit 017 is a true and correct copy of transcript excerpts and errata from the Deposition of Hiroshi Saji.

18. Attached hereto as Exhibit 018 is a true and correct copy of transcript excerpts from the Deposition of Dr. Wily Shih.

19. Attached hereto as Exhibit 019 is a true and correct copy of transcript excerpts and errata from the Deposition of Kazuya Taniguchi.

20. Attached hereto as Exhibit 020 is a true and correct copy of transcript excerpts and errata from the Deposition of Ko Torigoe.

21. Attached hereto as Exhibit 021 is a true and correct copy of transcript excerpts from the Deposition of William Troner.

22. Attached hereto as Exhibit 022 is a true and correct copy of transcript excerpts from the Deposition of Linda Trueblood.

23. Attached hereto as Exhibit 023 is a true and correct copy of transcript excerpts and errata from the Deposition of Masataka Tsuruta.

24. Attached hereto as Exhibit 024 is a true and correct copy of transcript excerpts and errata from the Deposition of Fumio Urano.

25. Attached hereto as Exhibit 025 is a true and correct copy of transcript excerpts and errata from the Deposition of Tohru Ushida.

26. Attached hereto as Exhibit 026 is a true and correct copy of the June 15, 2012 Declaration of Yusuke Kojima.

27. Attached hereto as Exhibit 027 is a true and correct copy of the February 5, 2013 Declaration of Ko Torigoe.

28. Attached hereto as Exhibit 028 is a true and correct copy of the January 10, 2013 Declaration of Masataka Tsuruta.

29. Attached hereto as Exhibit 029 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated August 18, 2003, consisting of Bates-numbered pages KOD-RIC002072-089.

30. Attached hereto as Exhibit 030 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated July 1, 2004, consisting of Bates-numbered pages KOD-RIC002090-127.

31. Attached hereto as Exhibit 031 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated April 9, 2004, consisting of Bates-numbered pages KOD-RIC002128-147.

32. Attached hereto as Exhibit 032 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated November 1, 2006, consisting of Bates-numbered pages KOD-RIC002148-169.

33. Attached hereto as Exhibit 033 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated October 1, 2001, consisting of Bates-numbered pages KOD-RIC002190-207.

34. Attached hereto as Exhibit 034 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated July 8, 2008, consisting of Bates-numbered pages KOD-RIC002321-340.

35. Attached hereto as Exhibit 035 is a true and correct copy of an Eastman Kodak Company patent cross license agreement related to digital cameras dated April 21, 1995, consisting of Bates-numbered pages KOD-RIC002344-350.

36. Attached hereto as Exhibit 036 is a true and correct copy of an Eastman Kodak Company patent cross license agreement related to digital cameras dated May 12, 2004, consisting of Bates-numbered pages KOD-RIC002351-368.

37. Attached hereto as Exhibit 037 is a true and correct copy of an Eastman Kodak Company patent cross license agreement related to digital cameras dated July 8, 2008, consisting of Bates-numbered pages KOD-RIC002390-422.

38. Attached hereto as Exhibit 038 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated August 21, 2002, consisting of Bates-numbered pages KOD-RIC002423-442.

39. Attached hereto as Exhibit 039 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated January 1, 2011, consisting of Bates-numbered pages KOD-RIC002581-602.

40. Attached hereto as Exhibit 040 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated October 21, 2005, consisting of Bates-numbered pages KOD-RIC002603-632.

41. Attached hereto as Exhibit 041 is a true and correct copy of an amendment to an Eastman Kodak Company patent license agreement related to digital cameras dated May 16, 2007, consisting of Bates-numbered pages KOD-RIC002633-634.

42. Attached hereto as Exhibit 042 is a true and correct copy of an amended and restated Eastman Kodak Company patent license agreement related to digital cameras dated September 30, 2007, consisting of Bates-numbered pages KOD-RIC002635-665.

43. Attached hereto as Exhibit 043 is a true and correct copy of an amended and restated Eastman Kodak Company patent license agreement related to digital cameras dated September 30, 2007, consisting of Bates-numbered pages KOD-RIC002666-695.

44. Attached hereto as Exhibit 044 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated October 21, 2005, consisting of Bates-numbered pages KOD-RIC002696-723.

45. Attached hereto as Exhibit 045 is a true and correct copy of an amendment to an Eastman Kodak Company patent license agreement related to digital cameras dated May 16, 2007, consisting of Bates-numbered pages KOD-RIC002724-725.

46. Attached hereto as Exhibit 046 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated January 1, 2001, consisting of Bates-numbered pages KOD-RIC002773-792.

47. Attached hereto as Exhibit 047 is a true and correct copy of an amendment to an Eastman Kodak Company patent license agreement related to digital cameras dated September 22, 2006, consisting of Bates-numbered pages KOD-RIC002793-811.

48. Attached hereto as Exhibit 048 is a true and correct copy of an Eastman Kodak Company patent license agreement related to digital cameras dated March 30, 2001, consisting of Bates-numbered pages KOD-RIC003198-219.

49. Attached hereto as Exhibit 049 is a true and correct copy of an Eastman Kodak Company patent cross license agreement related to digital cameras dated December 27, 2006 between, consisting of Bates-numbered pages KOD-RIC003241-269.

50. Attached hereto as Exhibit 050 is a true and correct copy of an email from K. Parulski with subject “DSC Competitive Matrix List” dated May 20, 1999 and consisting of Bates-numbered pages ATLC06104-1-6.

51. Attached hereto as Exhibit 051 is a true and correct copy of an email from L. Trueblood to M. Pagano with subject “Casio and Ricoh audit reports?” dated October 24, 2006 and consisting of Bates-numbered pages KOD-RIC004591.

52. Attached hereto as Exhibit 052 is a true and correct copy of an email from “dpreview-digest-list@dpreview.com” to P. Crocker with subject “Digital Photography Review Newsletter: Sun, 19 Feb 2006” dated February 20, 2006 and consisting of Bates-numbered pages KOD-RIC005059-062.

53. Attached hereto as Exhibit 053 is a true and correct copy of an email from M. Schrader to multiple recipients with subject “Fw: DIGITAL CAMERA MARKET INTELLIGENCE REPORT – 02/28/2006 *TEXT*” dated March 1, 2006 and consisting of Bates-numbered pages KOD-RIC005063-069.

54. Attached hereto as Exhibit 054 is a true and correct copy of an email from J. Burt to multiple recipients with subject “Fw: GAP INTEL DIGITAL CAMERA MARKET INTELLIGENCE REPORT – 02/12/2007 *TEXT*” dated February 13, 2007 and consisting of Bates-numbered pages KOD-RIC005105-107.

55. Attached hereto as Exhibit 055 is a true and correct copy of an email from M. Pagano to multiple recipients with subject “Fw: DIGITAL CAMERAS MARKET INTELLIGENCE REPORT – 05/22/2006 *TEXT*” dated May 23, 2006 and consisting of Bates-numbered pages KOD-RIC005142-149.

56. Attached hereto as Exhibit 056 is a true and correct copy of an email from M. Pagano to multiple recipients with subject “Fw: DIGITAL CAMERAS MARKET INTELLIGENCE REPORT – 03/20/2006 *TEXT*” dated March 21, 2006 and consisting of Bates-numbered pages KOD-RIC005960- 965.

57. Attached hereto as Exhibit 057 is a true and correct copy of an email from M. Pagano to M. Kurz with subject “Re: Fw: Brand/Factory production landscape” dated October 08, 2007 and consisting of Bates-numbered pages KOD-RIC006091-062.

58. Attached hereto as Exhibit 058 is a true and correct copy of a presentation by Kodak titled “Update on ImageLink: Communication to Regions and 1st Half Tradeshow Plan” dated January 18, 2006 and consisting of Bates-numbered pages KOD-RIC006205-216.

59. Attached hereto as Exhibit 059 is a true and correct copy of an email from M. Schrader to multiple recipients with subject “Fw: DIGITAL CAMERAS MARKET INTELLIGENCE REPORT – 02/16/2006 *TEXT*” dated February 16, 2006 and consisting of Bates-numbered pages KOD-RIC006221-222.

60. Attached hereto as Exhibit 060 is a true and correct copy of an email from C. McNiffe to T.Taber with subject “Fw: Pentax opportunity thru Altek” dated May 30, 2007 and consisting of Bates-numbered pages KOD-RIC010071-072.

61. Attached hereto as Exhibit 061 is a true and correct copy of an email from A. Ciccarelli to multiple recipients with subject “Re: Pentax Fw: CCD cost and schedule” dated March 06, 2006 and consisting of Bates-numbered pages KOD-RIC010151-157.

62. Attached hereto as Exhibit 062 is a true and correct copy of a document with title “Visit to HOYA – PENTAX – Tokyo Japan” dated April 07, 2010 and consisting of Bates-numbered pages KOD-RIC010619-621.

63. Attached hereto as Exhibit 063 is a true and correct copy of an email from W. Poehlmann to multiple recipients with subject “Summary of Photokina notes – MF and SLR” dated October 08, 2004 and consisting of Bates-numbered page KOD-RIC011451.

64. Attached hereto as Exhibit 064 is a true and correct copy of a document authored by “ISS Photokina Team” with title “Summary of Photokina meetings with MF and DSLR Customers” dated October 06, 2004, consisting of Bates-numbered pages KOD-RIC011452-462.

65. Attached hereto as Exhibit 065 is a true and correct copy of a letter from B. Benamati to K. Kimeda with subject “Pentax Questionnaire Regarding Medium Format Digital Camera” dated April 17, 2003 and consisting of Bates-numbered pages KOD-RIC011632-634.

66. Attached hereto as Exhibit 066 is a true and correct copy of a document authored by C. McNiffe regarding K. Kimeda's contributions to Kodak's Image Sensor Solutions business, dated February 17, 2004 and consisting of Bates-numbered pages KOD-RIC011635.

67. Attached hereto as Exhibit 067 is a true and correct copy of a presentation by Kodak with title "Monthly Operating Review" dated March 2010 and consisting of Bates-numbered pages KOD-RIC013222-245.

68. Attached hereto as Exhibit 068 is a true and correct copy of a presentation by Kodak with title "Pentax – Kodak Meeting, Current and Potential Future Projects" dated November 17, 2004 and consisting of Bates-numbered pages KOD-RIC013747-780.

69. Attached hereto as Exhibit 069 is a true and correct copy of a presentation by Kodak with title "Pentax and Kodak, Image Sensor Meeting" dated September 01, 2004 and consisting of Bates-numbered pages KOD-RIC013934-961.

70. Attached hereto as Exhibit 070 is a true and correct copy of an email from M. Pagano to multiple recipients with subject "Fw: DIGITAL CAMERAS MARKET INTELLIGENCE REPORT – 04/17/2006 *TEXT*" dated April 18, 2006 and consisting of Bates-numbered pages KOD-RIC032397-400.

71. Attached hereto as Exhibit 071 is a true and correct copy of a document by Techno Systems Research Co., Ltd. with title "Multi-Clients Marketing Report, 2007 Digital Still Camera Marketing Analysis" and consisting of Bates-numbered pages KOD-RIC037295-466.

72. Attached hereto as Exhibit 072 is a true and correct copy of an email from J. Pohlman to multiple recipients with subject "ImageLink Agreement – Pentax" dated January 25, 2005 and consisting of Bates-numbered page KOD-RIC040453.

73. Attached hereto as Exhibit 073 is a true and correct copy of a presentation by Kodak with title “Image Sensor Solutions, Q104 Strategy Review” dated January 19, 2004 and consisting of Bates-numbered pages KOD-RIC046269-291.

74. Attached hereto as Exhibit 074 is a true and correct copy of an email from J. Pohlman to A. Quercia with subject “Re: ImageLink Communications with Members” dated January 18, 2005 and consisting of Bates-numbered pages KOD-RIC047586-587.

75. Attached hereto as Exhibit 075 is a true and correct copy of a presentation by Kodak with title “Digital Camera Patent Licensing Program, Executive Briefing for Photokina” dated September 2004 and consisting of Bates-numbered pages KOD-RIC049744-761.

76. Attached hereto as Exhibit 076 is a true and correct copy of a document by L. Trueblood with title “Printer Dock Consortium – Discussions Under Way” dated February 20, 2004 and consisting of Bates-numbered pages KOD-RIC049805-806.

77. Attached hereto as Exhibit 077 is a true and correct copy of a presentation by K. Parulski with title “Planting, Nurturing, & Harvesting Patents” dated May 2003 and consisting of Bates-numbered pages KOD-RIC049808-822.

78. Attached hereto as Exhibit 078 is a true and correct copy of a presentation by Kodak with title “Overview, Licensing Digital Still Camera Patents” dated September 09, 2004 and consisting of Bates-numbered pages KOD-RIC050326-339.

79. Attached hereto as Exhibit 079 is a true and correct copy of a memorandum by K. Parulski with subject “DSC Patent licenses and printer dock partners” dated October 29, 2004 and consisting of Bates-numbered pages KOD-RIC050361-362.

80. Attached hereto as Exhibit 080 is a true and correct copy of a presentation by Kodak with title “Kodak Digital Camera IP Licensing Program” dated March 29, 2007 and consisting of Bates-numbered pages KOD-RIC066319-330.

81. Attached hereto as Exhibit 081 is a true and correct copy of a document by Techno Systems Research Co., Ltd. with title “Multi-Clients Research Report, 2011 Digital Still Camera Marketing Analysis” and consisting of Bates-numbered pages KOD-RIC073821-991.

82. Attached hereto as Exhibit 082 is a true and correct copy of a document by Techno Systems Research Co., Ltd. with title “Multi-Clients Marketing Report, 2008 Digital Still Camera Marketing Analysis” and consisting of Bates-numbered pages KOD-RIC074164-357.

83. Attached hereto as Exhibit 083 is a true and correct copy of a document by Techno Systems Research Co., Ltd. with title “Multi Client Marketing Report, 2008 Digital Still Camera Marketing Analysis” and consisting of Bates-numbered pages KOD-RIC074358-561.

84. Attached hereto as Exhibit 084 is a true and correct copy of a document by Techno Systems Research Co., Ltd. with title “Multi Client Research Report, 2010 Digital Still Camera Marketing Analysis” and consisting of Bates-numbered pages KOD-RIC074562-749.

85. Attached hereto as Exhibit 085 is a true and correct copy of a confidentiality agreement by Kodak and Asahi Optical Co., Ltd. dated May 15, 2001 and consisting of Bates-numbered pages RICOH00000042-C_1-C_2.

86. Attached hereto as Exhibit 086 is a true and correct copy of a presentation by Kodak with title “Pentax & Kodak, Image Sensor Meeting” dated May 15, 2001 and consisting of Bates-numbered pages RICOH00001153-C_1-C_49.

87. Attached hereto as Exhibit 087 is a true and correct copy of a letter by E. André to T. Yuasa regarding Kodak's patent licensing matters, dated May 19, 1999 and consisting of Bates-numbered pages RICOH00001243-C_1-C_2.

88. Attached hereto as Exhibit 088 is a true and correct copy of a letter by K. Takiguchi to E. André replying to prior correspondence, dated August 07, 2001 and consisting of Bates-numbered page RICOH00001409-C_1.

89. Attached hereto as Exhibit 089 is a true and correct copy of a letter of intent by Kodak and Pentax Corporation with title "Kodak KAF-1800CE Image Sensor" dated September 28, 2004 and consisting of Bates-numbered pages RICOH10239923-927.

90. Attached hereto as Exhibit 090 is a true and correct copy of a confidential disclosure agreement between Kodak and Pentax, dated October 6, 2004, and consisting of Bates-numbered page RICOH10239928.

91. Attached hereto as Exhibit 091 is a true and correct copy of a presentation by Kodak with title "Pentax & Kodak, Image Sensor Meeting" dated September 01, 2004 and consisting of Bates-numbered pages KOD-RIC013833-859.

92. Attached hereto as Exhibit 092 is a true and correct copy of an email from K. Kiyoshi to multiple recipients dated September 18, 2004 and consisting of Bates-numbered pages RICOH10240081-084.

93. Attached hereto as Exhibit 093 is a true and correct copy of an email from S. Hasushita to I. Hirari dated February 16, 2011 and consisting of Bates-numbered pages RICOH10262360-365.

94. Attached hereto as Exhibit 094 is a true and correct copy of a document consisting of Bates-numbered page RICOH00000149-C_1.

95. Attached hereto as Exhibit 095 is a true and correct copy of a presentation with attached notes titled “Pentax” dated January 09, 2007 and consisting of Bates-numbered pages RICOH10239275-282.

96. Attached hereto as Exhibit 096 is a true and correct copy of an email from J. Pohlman to multiple recipients with subject “Final PLA and SDA Agreements” dated June 05, 2002 and consisting of Bates-numbered page RICOH10395902.

97. Attached hereto as Exhibit 097 is a true and correct copy of an email from J. Pohlman to multiple recipients with subject “Re: PLA and SDA Agreements” dated June 05, 2002 and consisting of Bates-numbered pages RICOH10395939-940.

98. Attached hereto as Exhibit 098 is a true and correct copy of an email from T. Hisao to multiple recipients dated October 19, 2001 and consisting of Bates-numbered pages RICOH10398922-923.

99. Attached hereto as Exhibit 099 is a true and correct copy of an email from S. Cho to multiple recipients with subject “Re: PLA and SDA” dated April 08, 2002 and consisting of Bates-numbered pages RICOH10402622-628.

100. Attached hereto as Exhibit 100 is a true and correct copy of a document by Kodak with title “Photokina Press Conference” dated September 27, 2004 and consisting of Bates-numbered pages RICOH10416152-164.

101. Attached hereto as Exhibit 101 is a true and correct copy of a document by Kodak and Pentax Corporation with title “Amendment 1” dated April 19, 2006 and consisting of Bates-numbered page RICOH10443116.

102. Attached hereto as Exhibit 102 is a true and correct copy of an agreement between Kodak and Pentax Corporation related to ImageLink dated September 7, 2005 and consisting of Bates-numbered page RICOH10443117-139.

103. Attached hereto as Exhibit 103 is a true and correct copy of a document consisting of Bates-numbered pages RICOH10073867-879.

104. Attached hereto as Exhibit 104 is a true and correct copy of an email dated June 03, 2002 and consisting of Bates-numbered pages RICOH00001215-C_1-C_6.

105. Attached hereto as Exhibit 105 is a true and correct copy of a document by Kodak with title “CONFIDENTIALITY AGREEMENT” dated July 22, 1999 and consisting of Bates-numbered pages RICOH10443180-181.

106. Attached hereto as Exhibit 106 is a true and correct copy of a scanned collection Kodak personnel’s business cards consisting of Bates-numbered page RICOH10443217.

107. Attached hereto as Exhibit 107 is a true and correct copy of an email from T. Yamada to K. Kawano dated September 04, 2005 and consisting of Bates-numbered pages RICOH10443236-237.

108. Attached hereto as Exhibit 108 is a true and correct copy of a document titled “Kodak & PENTAX” and consisting of Bates-numbered pages RICOH10445885-887.

109. Attached hereto as Exhibit 109 is a true and correct copy of a document consisting of Bates-numbered page RICOH10445949.

110. Attached hereto as Exhibit 110 is a true and correct copy of an email dated October 10, 2002 and consisting of Bates-numbered pages RICOH10445970-971.

111. Attached hereto as Exhibit 111 is a true and correct copy of a document by Ricoh with title “Minutes of Negotiations and Meeting with the Other Side Held on 10/29/2001” dated October 29, 2001 and consisting of Bates-numbered pages RICOH10577996-998.

112. Attached hereto as Exhibit 112 is a true and correct copy of a document by Ricoh with title “Minutes of Negotiations and Meeting with the Other Side Held on 01/16/2002” dated January 18, 2002 and consisting of Bates-numbered pages RICOH10578003-005.

113. Attached hereto as Exhibit 113 is a true and correct copy of a document consisting of Bates-numbered pages RICOH10593024-025.

114. Attached hereto as Exhibit 114 is a true and correct translated copy of a document by Pentax with title “Minutes of the Meeting between Pentax and Kodak” dated October 23, 2002 and consisting of Bates-numbered page RICOH60000001.

115. Attached hereto as Exhibit 115 is a true and correct partially translated copy of an e-mail from Yokohata to Eguchi with subject “FW: Regarding Meeting with Kodak” dated October 11, 2002 and consisting of Bates-numbered pages RICOH60000002-003.

116. Attached hereto as Exhibit 116 is a true and correct partially translated copy of a document by Pentax with title “Meeting minutes from 2nd discussion with Eastman Kodak” dated September 09, 2002 and consisting of Bates-numbered pages RICOH60000004-005.

117. Attached hereto as Exhibit 117 is a true and correct partially translated copy of a document by Pentax with title “PMA Trip Report” dated March 07, 2003 and consisting of Bates-numbered pages RICOH60000006-010.

118. Attached hereto as Exhibit 118 is a true and correct partially translated copy of a document by Pentax with title “Meeting with Kodak regarding Professional Digital Back” dated October 24, 2002 and consisting of Bates-numbered pages RICOH60000011-012.

119. Attached hereto as Exhibit 119 is a true and correct partially translated copy of a document by Pentax with title “October 28, 2002 Meeting with Kodak” dated November 1, 2002 and consisting of Bates-numbered pages RICOH60000013-014.

120. Attached hereto as Exhibit 120 is a true and correct partially translated copy of a document by Pentax with title “Kodak Meeting Minutes” dated December 17, 2000 and consisting of Bates-numbered page RICOH60000015.

121. Attached hereto as Exhibit 121 is a true and correct partially translated copy of an email from Kodak to multiple recipients with subject “Re: Meetings going forward” dated May 08, 2003 and consisting of Bates-numbered pages RICOH60000016-017.

122. Attached hereto as Exhibit 122 is a true and correct partially translated copy of a document by Pentax with title “Meeting with Kodak regarding CCD” dated July 15, 2003 and consisting of Bates-numbered page RICOH60000021.

123. Attached hereto as Exhibit 123 is a true and correct partially translated copy of an email from Kodak to Pentax with subject “Meeting Schedule” dated July 07, 2003 and consisting of Bates-numbered page RICOH60000022.

124. Attached hereto as Exhibit 124 is a true and correct partially translated copy of an email from Kodak to multiple recipients dated November 15, 2003 and consisting of Bates-numbered pages RICOH60000023-025.

125. Attached hereto as Exhibit 125 is a true and correct partially translated copy of an email from Kodak to Pentax with subject “Kodak Docks + Camera Connectors” dated October 31, 2003 and consisting of Bates-numbered pages RICOH60000026-027.

126. Attached hereto as Exhibit 126 is a true and correct translated copy of a document with title “Kodak re-enters into Japanese digital camera business market! – aiming to expand market with 'Absolute print rule!'“ dated October 01, 2004 and consisting of Bates-numbered pages RICOH60000031-036.

127. Attached hereto as Exhibit 127 is a true and correct partially translated copy of a document by Kodak with title “2003 CX/DX/LS Base Dock & Dock I/F Specifications” dated November 11, 2002 and consisting of Bates-numbered pages RICOH60000037-082.

128. Attached hereto as Exhibit 128 is a true and correct partially translated copy of a presentation by Kodak with title “Dock Partners Program (DPP)” dated June 17, 2004 and consisting of Bates-numbered pages RICOH60000083-103.

129. Attached hereto as Exhibit 129 is a true and correct partially translated copy of an email from Pentax to Kodak with subject “PMA” dated January 28, 2004 and consisting of Bates-numbered page RICOH60000104.

130. Attached hereto as Exhibit 130 is a true and correct translated copy of an email from M. Tsuruta to K. Kawano dated July 08, 2004 and consisting of Bates-numbered page RICOH60000105.

131. Attached hereto as Exhibit 131 is a true and correct partially translated copy of an email from M. Hayakawa to K. Kawano with subject “9/2 Kodak DPP meeting” dated September 03, 2004 and consisting of Bates-numbered pages RICOH60000106-108.

132. Attached hereto as Exhibit 132 is a true and correct translated copy of an email from S. Nunome to K. Kawano with subject “Confirmation of the meeting on March 9” dated March 03, 2005 and consisting of Bates-numbered page RICOH60000110.

133. Attached hereto as Exhibit 133 is a true and correct partially translated copy of a document regarding the January 20, 2005 meeting between Kodak and Pentax, dated January 2005 and consisting of Bates-numbered page RICOH60000112.

134. Attached hereto as Exhibit 134 is a true and correct partially translated copy of an email from T.Furusato to T. Kitazawa with subject “RE: KODAK” dated October 17, 2011 and consisting of Bates-numbered pages RICOH60000120-122.

135. Attached hereto as Exhibit 135 is a true and correct partially translated copy of a document by Kodak with title “Kodak establishes a quasi-membership system for its photographic members club through mutual cooperation with Pentax” dated November 15, 2004 and consisting of Bates-numbered pages RICOH60000123-124.

136. Attached hereto as Exhibit 136 is a true and correct partially translated copy of a document with title “Minutes of the 16th DC-TC Task Force Meeting” dated April 24, 2007 and consisting of Bates-numbered page RICOH60000125.

137. Attached hereto as Exhibit 137 is a true and correct partially translated copy of a document with title “Minutes of the 19th DC-TC Task Force Meeting” dated June 26, 2007 and consisting of Bates-numbered page RICOH60000126.

138. Attached hereto as Exhibit 138 is a true and correct partially translated copy of an email from K. Aratama to S. Nunome with subject “RE: Request for cooperation to display

ImageLink at the Photo Imaging Expo” dated March 09, 2006 and consisting of Bates-numbered pages RICOH60000141-143.

139. Attached hereto as Exhibit 139 is a true and correct translated copy of a document with title “PENTAX OPTIO M10” and consisting of Bates-numbered page RICOH60000144.

140. Attached hereto as Exhibit 140 is a true and correct partially translated copy of a document by Pentax with title “November 2004 Plan Deliberation Meeting” dated November 20, 2004 and consisting of Bates-numbered page RICOH60000402.

141. Attached hereto as Exhibit 141 is a true and correct partially translated copy of an email from Y. Nakajima to K. Kawano with subject “RE: PMA” dated February 11, 2005 and consisting of Bates-numbered pages RICOH60000448-450.

142. Attached hereto as Exhibit 142 is a true and correct partially translated copy of an email from K. Toshiyuki to multiple recipients with subject “RE: Kodak Information” dated June 29, 2010 and consisting of Bates-numbered page RICOH60000453.

143. Attached hereto as Exhibit 143 is a true and correct copy of a document by Kodak with title “Japan November 2002 Trip Report” and consisting of Bates-numbered pages TS-00293-299.

144. Attached hereto as Exhibit 144 is a true and correct copy of a presentation by Kodak with title “Image Sensor Solutions, Photokina meeting with Pentax” dated September 2008 and consisting of Bates-numbered pages TS-00376-386.

145. Attached hereto as Exhibit 145 is a true and correct copy of a presentation by Kodak with title “Overview of Business Opportunities in Japan” dated September 10, 2004 and consisting of Bates-numbered pages TS-00390-400.

146. Attached hereto as Exhibit 146 is a true and correct copy of a document by Kodak with title “SUBJECT: Records Management” and consisting of Bates-numbered page KOD-RIC055351.

147. Attached hereto as Exhibit 147 is a true and correct partially translated copy of an e-mail from Kiyoshi Kawano of Pentax consisting of Bates-numbered pages RICOH60000382-84.

148. Attached hereto as Exhibit 148 is a true and correct copy of an excerpt from the expert report of Vincent A. Thomas.

149. I reviewed the Random House Japanese-English English-Japanese Dictionary, a true and accurate scanned excerpt of which is attached as Exhibit 149. On page 122, “keiyaku” (契約) is translated as “contract.” On the same page, “keiyakusho” (契約書) is translated as “(written) contract.” On page 345, “contract” as a noun has two translations: “keiyaku 契約 (agreement); keiyakusho 契約書 (written form).”

150. I reviewed the Sanseido’s Daily Concise Japanese-English Dictionary (Seventh Edition), a true and accurate scanned excerpt of which is attached as Exhibit 150. On page 172, “keiyaku” (契約) is translated as “a contract.” The definition includes suggested uses of “keiyaku,” and translations of those uses. One of the suggested uses is “keiyakusho” (契約書), which is translated as “a (written) contract.”

151. I reviewed the Color Pax Japanese-English Dictionary (Second Edition), a true and accurate scanned excerpt of which is attached as Exhibit 151. On page 165, “keiyaku” (契約) is translated as “<make> a contract.” The definition includes suggested suffixes that change

the meaning of “keiyaku,” and translations of that changed meaning. One of the suggested suffixes is “sho” (“-書”), which is translated as “a (written) contract.”

152. I reviewed the Sogakukan Progressive Japanese-English Dictionary (Fourth Edition), a true and accurate scanned excerpt of which is attached as Exhibit 152. On page 564, “keiyaku” (契約) is translated as “a contract.” The definition includes suggested uses of “keiyaku.” One suggested use is “keiyakusho” (契約書), which is translated as “a (written) contract.”

153. Attached hereto as Exhibit 153 is a true and correct copy of Ricoh’s Response to Kodak’s Request for Admission 9.

154. Attached hereto as Exhibit 154 is a true and correct copy of Ricoh’s Amended Response to Kodak’s Request for Admission 9.

155. Attached hereto as Exhibit 152 is a true and correct copy of Eastman Kodak Company’s Responses to Ricoh’s First Set of Interrogatories.

156. Attached hereto as Exhibit 156 is a true and correct copy of Eastman Kodak Company’s Responses to Ricoh’s First Set of Requests for Admission.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 12, 2013, at San Francisco, California



Graham M. Pechenik